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GOVERNMENT GAZETTE

BOLETIM OFICIAL

GOVERNMENT OF GOA, DAMAN
AND DIU

General Administration Department

Order

4-13/67 F(B)

Government had, for some time past, under consideration, various issues arisen out of the liquidation of the Montepio do Estado da India. This institution has been discontinued with effect from 1-4-1964 and a liquidator appointed to finalise the liquidation. 70% of the Contributions received by the institution have already been given back to the contributors. Government have now decided that another refund of 20% to the members of the institution shall be made with immediate effect.

By order and in the name of the Administrator of Goa, Daman and Diu.

D. V. Sawant, Deputy Secretary (Appointments).
Panaji, 22nd July, 1968.

(Tradução)
GOVERNO DE GOA, DAMÃO
E DIO

Departamento de Administração Geral

Portaria

4-13/67 F(B)

Há já algum tempo, o Governo tem estado a apreciar vários problemas que surgiram da liquidação do Montepio do Estado da India. A mesma Instituição foi extinta a partir de 1 de Abril de 1964 e foi nomeado um liquidatário para finalizar a liquidação. Setenta por cento das contribuições recebidas pela mesma Instituição, foram já devolvidas aos contribuintes. O Governo decidiu, agora, devolver mais vinte por cento aos sócios da mesma Instituição, com efeito imediato.

Por ordem e em nome do Administrador de Goa, Damão e Dio.

D. V. Sawant, Secretário adjunto (Nomeações).
Panaji, 22 de Julho de 1968.

Finance (Budget and Accounts) Department

Order

DA/Control/I-4A/531

The following candidates have been declared successful in the Initial Recruitment Examination for Accountants held on 19-5-1968.

Sl. No.	Roll No.	Name of the candidates
LIST I		
1	D-71	Shri Somanath Jaiwant Senai Priolcar
2	D-68	Shri Radhakrishnan C. S.
3	D-70	Shri Jagadish Suria Rao Sardesai
4	D-75	Shri Umanath Sar Desai
5	D-83	Kum. Aurea Britto
6	D-81	Shri Madhava Z. S. R. Agxicar
7	D-73	Shri Hicbal Cadar Khan
8	D-25	Shri Ravindranath Xembu Sinai Quencro
9	D-45	Shri Sivarama Fotto
10	D-2	Shri Surendra Anant Amonkar
11	D-50	Shri Anant K. Ghodekar
12	D-3	Shri Morto Sripada Sinai Sunctancar
13	D-41	Shri S. Ravindran Pillai
14	D-10	Shri A. V. Mardolkar
15	D-48	Shri Camilo do Santos Albuquerque

Departamento das Finanças (Orçamento e Contas)

Despacho

DA/Control/I-4A/531

Os seguintes candidatos ficaram aprovados no exame inicial de recrutamento para contabilistas, que se realizou em 19 de Maio de 1968.

N.º de série	N.º do candidato	Nome do candidato
LISTA I		
1	D-71	Sr. Somanath Jaiwant Senai Priolcar
2	D-68	Sr. Radhakrishnan C. S.
3	D-70	Sr. Jagadish Suria Rao Sardesai
4	D-75	Sr. Umanath Sar Desai
5	D-83	Sr.ª Aurea Britto
6	D-81	Sr. Madhava Z. S. R. Agxicar
7	D-73	Sr. Hicbal Cadar Kan
8	D-25	Sr. Ravindranath Xembu Sinai Quencro
9	D-45	Sr. Sivarama Fotto
10	D-2	Sr. Surendra Anant Amonkar
11	D-50	Sr. Anant K. Ghodekar
12	D-3	Sr. Morto Sripada Sinai Sunctancar
13	D-41	Sr. S. Ravindran Pillai
14	D-10	Sr. A. V. Mardolkar
15	D-48	Sr. Camilo do Santos Albuquerque

Sl. No.	Roll No.	Name of the candidates
16	D-63	Shri L. S. Candeaparc
17	D-6	Shri Miguel Mario de S. Paes
18	D-78	Shri Jamkandikar K. V.
19	D-11	Shri Ramakant Saounto
20	D-15	Shri R. G. Prabhudesai

LISTA II

21	1	Shri Ramachandra N. Thakur
22	40	Shri Pritidas Narsinha Vair
23	63	Shri G. J. Saldanha
24	31	Shri Prabhudesai Jeewottam Narayan
25	56	Shri Iswar B. Muchandi
26	27	Shri R. R. Naik

Panaji, 16th July, 1968. — The Director of Accounts, K. M. Moorjani.

Finance (Control) Department

Notification

4-1/64/Fin(Control)

It has been decided with the approval of Government of India to give another opportunity to the Civil and Military personnel working in the former Portuguese Army as on the date of Liberation of Goa, Daman and Diu, who still reside in this Union Territory and who though had become eligible to earn pension by virtue of service rendered upto 19th December, 1961 did not avail of the earlier opportunity to submit the declarations in connection with their request for the grant of Pension. The declaration should be addressed to the Secretary, Finance Department, Government of Goa, Daman and Diu, Panjim and should reach the Department before 31st August, 1968.

2) The declaration should contain the following particulars: —

- The full name and address of the party.
- The present nationality.
- The post held and salary as on the date of Liberation and during the previous 24 months.
- The date of birth and service rendered to the Government.
- Whether married or single and number of children dependent in the case of married persons.
- Whether he had contributed or not for retirement pension, the prescribed monthly contribution and dates on which this contribution started and stopped.
- Certificate of verification of service by two other army personnel of the same or superior rank, who will, if deemed necessary, be summoned to give oral evidence also and
- Any other details that may help in proving his right to the pension and in fixing the amount thereof.

3) A committee composed of three representatives of the Directorate of Accounts, Panjim, is hereby appointed for the purpose mentioned in the following articles.

4) The declaration mentioned in article (1) above should be forwarded by the Finance Department to the committee referred to in the previous article who should examine the same and submit, within sixty days, a report to the Government in the Finance Department, indicating full facts of the case and the amount of pension found to be admissible.

5) The date referred to under No. (2) shall be obtained from the records of the competent military authority to which the members of the committee shall solicit access.

6) In case the records do not exist or are destroyed, the committee shall reconstitute the service records in each individual case, availing itself of the certificate, official publications and other authentic documents, and in the absence of these it shall seek other proofs permitted by law. This reconstitution shall be restricted to finding a data referred to under No. (2).

N.º de série	N.º do candidato	Nome do candidato
16	D-63	Sr. L. S. Candeaparc
17	D-6	Sr. Miguel Mario de S. Paes
18	D-78	Sr. Jamkandikar K. V.
19	D-11	Sr. Ramakant Saounto
20	D-15	Sr. R. G. Prabhudesai

LIST II

21	1	Sr. Ramachandra N. Thakur
22	40	Sr. Pritidas Narsinha Vaidya
23	63	Sr. G. J. Saldanha
24	31	Sr. Prabhudesai Jeewottam Narayan
25	56	Sr. Iswar B. Muchandi
26	27	Sr. R. R. Naik

Panaji, 16 de Julho de 1968. — O Director de Contabilidade, K. M. Moorjani.

Departamento das Finanças (Contrôle)

Despacho

4-1/64/Fin(Control)

Ficou decidido e com a aprovação do Governo da India, dar mais uma oportunidade ao pessoal civil e militar que trabalhava no antigo exército português à data da libertação de Goa, Damão e Diu, que ainda reside neste território da União e que embora estivesse habilitado a receber pensão por serviço prestado até 19 de Dezembro de 1961, não aproveitou da oportunidade anterior de prestar declarações relacionadas com os seus requerimentos para concessão da pensão. As declarações deverão ser dirigidas ao Secretário do Departamento das Finanças do Governo de Goa, Damão e Diu, Pangim, por forma a serem recebidas pelo mesmo Departamento antes de 31 de Agosto de 1968.

2) As declarações deverão conter os seguintes pormenores:

- Nome e endereço completos do interessado.
- A actual nacionalidade.
- Lugar que exercia e vencimento que percebia à data da libertação e durante os 24 meses antecedentes.
- A data de nascimento e serviço prestado ao Estado.
- Estado civil e, no caso de ser casado, o número de filhos dependentes.
- Se pagou ou não as contribuições para a compensação, a contribuição mensal paga, e as datas em que começou e deixou de pagar a mesma contribuição.
- Certificado de verificação de serviço por dois outros oficiais do exército, da mesma patente ou de patente superior, que poderão, caso for necessário, serem chamados para prestar testemunho oral, também.
- Quaisquer outros pormenores que possam ajudar em provar o seu direito à pensão e em fixar o montante da mesma.

3) É nomeada uma comissão de três representantes da Direcção de Contabilidade, Pangim, para os fins mencionados nos seguintes parágrafos.

4) As declarações a que se refere o 1.º § acima, deverão ser submetidas pelo Departamento das Finanças à comissão a que se refere o parágrafo anterior, a qual apreciará as mesmas e submeterá um relatório ao Governo, por intermédio do Departamento das Finanças, indicando todos os factos do caso e o montante da pensão que se julgar admissível.

5) A data a que se refere o § (2) deverá ser obtida dos arquivos da competente autoridade militar, aos quais os membros da Comissão deverão solicitar acesso.

6) No caso de não existirem os arquivos ou de os mesmos terem sido destruídos, a comissão deverá reconstituir a folha de serviço em cada caso individual, baseando-se no certificado, publicações oficiais e outros documentos autênticos, e, na ausência destes, deverá procurar obter outras provas autorizadas por lei. A mesma reconstituição deverá restringir-se a obter a data a que refere o § 2.º.

7) All the documents and proofs produced according to Nos. (2) and (6) shall accompany the report referred to under No. (4).

8) In the same report, the cases in which the reconstitution of the individual service record in the manner stipulated under No. (6) is absolutely impossible, shall also be mentioned so that they may be considered and decided by the Government.

9) The acts, deeds, diligencies, documents and processes connected with the execution of what is determined under this order, are exempted from any costs, stamps and emoluments of any kind.

By order and in the name of the Administrator of Goa, Daman and Diu.

G. K. Bhanot
Chief Secretary

Panaji, 29th June, 1968.

Revenue Department

Notification

RD/TNC/BND/280/67-68-XI

In pursuance of the proviso to sub-section (3) of Section 26 of the Goa, Daman and Diu Agricultural Tenancy Act, 1964, the Government hereby specify the following bund described in the schedule appended hereto as protective bund for the purpose of the said proviso:—

SCHEDULE

Name of the bund	Village	Taluka	Description
Chamde Khan	Bastora	Bardez	The bund starting with the paddy field «Manxecho Aco», belonging to Shri Krishna Diu Calangutecar, running along the bank of tributary of river Aldona and ending with the paddy field «Ranaicacho Aco», belonging to Smt. Luízinha Fernandes and situated at village Bastora of Bardez Taluka.

By order and in the name of the Administrator of Goa, Daman and Diu.

W. G. Ranadive, Secretary (Revenue).

Panaji, 19th July, 1968.

Notification

No. RD/LQN/190/67 — Whereas it appears to the Appropriate Government (hereinafter referred to as the «Government») that the land specified in the schedule hereto (hereinafter referred to as the «said land») is likely to be needed for a public purpose viz. setting up Degausing Range.

Therefore the Government is pleased to notify under sub-section (1) of Section 4 of the Land Acquisition Act, 1894 (hereinafter referred to as the «said Act») that the said land is likely to be needed for the purpose specified above.

2. All persons interested in the said land are hereby warned not to obstruct or interfere with any surveyors or other persons employed upon the said land for the purpose of the said acquisition. Any contracts for the disposal of the said land by sale, lease, mortgage, assignment, exchange or otherwise, or any outlay, commenced or improvements made thereon without the sanction of the Collector after the date of the publication of this Notification, will under clause (Seventh) of section 24 of the said Act, be disregarded by the officer

7) Todos os documentos e provas obtidas de harmonia com os §§ n.º (2) e (6) deverão acompanhar o relatório a que se refere o § n.º (4).

8) No mesmo relatório, os casos em que a reconstituição da folha de serviço, nos termos estabelecidos no § 6.º, seja impossível, dever-se-á mencionar essas circunstâncias, a fim de que os mesmos casos possam ser apreciados e resolvidos pelo Governo.

9) Os actos, escrituras, diligências, documentos e processos relacionados com o cumprimento do disposto neste, ficam isentos de quaisquer custas, selos e emolumentos.

Por ordem e em nome do Administrador de Goa, Damão e Diu.

G. K. Bhanot
Secretário-Chefe

Panaji, 29 de Junho de 1968.

Departamento de Rendimentos

Despacho

RD/TNC/BND/280/67-68-XI

De harmonia com a alínea (3) do artigo 26.º de «Goa, Daman and Diu Agricultural Tenancy Act, 1964», o Governo determina que o valado mencionado no quadro anexo seja considerado como valado protector para os fins da citada alínea.

QUADRO

Nome do valado	Aldeia	Concelho	Descrição
Chamde Khan	Bastorá	Bardês	Valado que começando na várzea «Manxecho Aco», pertencente a Krishna Diu Calangutecar, corre ao longo da margem do afluente do rio Aldonã e termina na várzea «Ranaicacho Aco», pertencente a Luízinha Fernandes e sita na aldeia Bastorá do concelho de Bardês.

Por ordem e em nome do Administrador de Goa, Damão e Diu.

W. G. Ranadive, Secretário (Rendimentos).

Panaji, 19 de Julho de 1968.

Despacho

N.º RD/LQN/190/67 — Atendendo a que o Governo interessado (referido daqui em diante como «Governo») acha que o terreno especificado no quadro anexo (referido daqui em diante como «aludido terreno») é de utilidade pública para os fins do «degausing range».

Torna-se público, ao abrigo da alínea (1) do artigo 4.º do «Land Acquisition Act, 1894» (referido daqui em diante como «citado Act») que o aludido terreno é necessário para os fins públicos acima referidos.

2. Os interessados no aludido terreno são por este avisados a não impedir ou interferir com os agrimensores e outro pessoal em serviço no aludido terreno para os fins da aquisição do mesmo. Quaisquer contratos para alienação do aludido terreno, por meio de venda, arrendamento, hipoteca, cedência, troca ou de qualquer outra forma, ou quaisquer projectos ou melhoramentos feitos no mesmo, sem autorização do Collector nomeado no § 4.º a seguir, depois da data deste aviso, não serão tomadas em consideração, ao abrigo do artigo 24.º (sétimo) do citado Act, pelos funcionários encar-

assessing compensation for such parts of the said land as may be finally acquired.

3. If the Government is satisfied that the said land is needed for the aforesaid purpose, a declaration to that effect under section 6 of the said Act will be published in the Government Gazette, in the due course. If the acquisition is abandoned wholly or in part, the fact will be duly notified in the Government Gazette.

4. The Government is further pleased to appoint under clause (c) of section 3 of the said Act, the Deputy Collector south, Sub-Division, Margao to perform the function of a Collector under the said Act, in respect of the said land.

5. The Government is also pleased to authorise under sub-section (2) of section 4 of the said Act, the following officers to do the acts, specified therein in respect of the said land.

1. The Collector of Goa, Panaji.
2. The Deputy Collector, South Sub-Division, Margao.
3. The Military Estates Officer, Poona Circle, Poona.

6. A rough plan of the said land is available for inspection in the office of the Deputy Collector, Margao, for a period of 30 days from the date of this Notification.

SCHEDULE

Taluka	Town Village	Description of the said land	Approximate area
Marmugao	Grand Island from the island of St. George.	A plot of land, belonging to Shri Ascanio da Costa Martins, and Shri Carlos da Costa Martins, requisitioned from 28-4-1964, for securing defence of India by the Govt. of Goa, Daman & Diu's order No. M. 72/64, dated 11-4-1964.	98351 sq. mts.

By order and in the name of the Lieutenant Governor of Goa, Daman and Diu.

W. G. Ranadive, Secretary (Revenue).

Panaji, 17th July, 1968.

Notification

CDP/VPT/1328/66

In exercise of powers vested under article 2 of the Legislative Diploma no. 1664 dated 11th October, 1956, the Administrator of Goa, Daman and Diu is pleased to accept the resignation tendered by Shri Armando Santana Pereira from the Presidentship of the Salcete Municipality with immediate effect, and to appoint Shri Mucunda P. Shinkre, Advocate, Margao, as President of the said Municipality, until further orders.

By order and in the name of the Administrator of Goa, Daman and Diu.

W. G. Ranadive, Secretary (Revenue).

Panaji, 20th July, 1968.

Law and Judicial Department

Resolution

Whereas there has been a persistent demand to examine the Portuguese Laws that are presently in force in the Union Territory of Goa, Daman and Diu and to repeal the same by undertaking suitable legislation;

And whereas the Government has considered the question of appointing a Law Commission to examine the existing Portuguese Laws and to suggest suitable legislation for repealing the same;

regados de atribuir compensação pelas partes do aludido terreno que venham a ser finalmente adquiridas.

3. Caso o Governo considere que o aludido terreno é necessário para os fins acima referidos, será publicado, oportunamente, no *Boletim Oficial*, um aviso final para esse efeito, ao abrigo do artigo 6.º do citado Act. Se a aquisição for abandonada, total ou parcialmente, o facto será notificado, na devida altura, no *Boletim Oficial*.

4. Ao abrigo da alínea (c) do artigo 3.º do citado Act, o Governo nomeia o Collectór adjunto da sub-divisão do sul, Margão, para exercer as funções de Collector, ao abrigo do citado Act, em todos os actos relacionados com o aludido terreno.

5. O Governo também autoriza, ao abrigo da alínea (2) do artigo 4.º do citado Act, as seguintes entidades oficiais para exercerem as funções especificadas na mesma lei, em relação ao aludido terreno.

1. Collector de Goa, Panagi.
2. Collector adjunto da sub-divisão do sul, Margão.
3. «Military Estates officer, Poona Circle», Poona.

6. O plano do aludido terreno poderá ser consultado na Repartição do referido Collector adjunto, pelo prazo de 30 dias, contado da data deste despacho.

QUADRO

Concelho	Cidade Aldeia	Descrição do aludido terreno	Área apro- ximada
Mormugão	Ilha Grande da Ilha de S. Jorge	Terreno pertencente aos Srs. Ascânio da Costa Martins e Carlos da Costa Martins, requisitado em 28 de Abril de 1964, para os fins de defesa da Índia, por despacho n.º M. 72/64 do Governo de Goa, Damão e Diu, datado de 11 de Abril de 1964	98351 m²

Por ordem e em nome do Governador-tenente de Goa, Damão e Diu.

W. G. Ranadive, Secretário (Rendimentos).

Panaji, 17 de Julho de 1968.

Despacho

CDP/VPT/1328/66

No uso das faculdades conferidas pelo artigo 2.º do Diploma Legislativo n.º 1664, de 11 de Outubro de 1956, o Administrador de Goa, Damão e Diu, aceita o pedido de resignação do Sr. Armando Santana Pereira, do lugar de presidente da Câmara Municipal de Salcete, com efeito imediato, e nomeia o Sr. Mucunda P. Shinkre, advogado, de Margão, como presidente da Câmara Municipal de Salcete, até ordens ulteriores.

Por ordem e em nome do Administrador de Goa, Damão e Diu.

W. G. Ranadive, Secretário (Rendimentos).

Panaji, 20 de Julho de 1968.

Departamento de Justiça

Resolução

Tendo em consideração que tem havido uma contínua exigência para examinar as leis portuguesas que presentemente vigoram no Território da União de Goa, Damão e Diu, e revogar as mesmas mediante leis apropriadas;

Atendendo a que o Governo acha conveniente nomear uma comissão jurídica, para examinar as existentes leis portuguesas e sugerir leis apropriadas para as revogar;

Now therefore the Government is pleased to constitute Law Commission consisting of three members including its Chairman and further pleased to nominate Shri Gopal Apa Kamat, Panaji as Chairman thereof. The Law Secretary, Goa, Daman and Diu shall be one of its Members. The third Member will be nominated by the Chairman of the Law Commission.

The tenure of the Law Commission will be for a period of three years in the first instance. No allowances or honoraria or money shall be payable to the Chairman. The Members of the Law Commission will be paid such allowances or honoraria that may be prescribed by the Government from time to time.

By order and in the name of the Administrator of Goa, Daman and Diu.

R. L. Segel, Law Secretary.

Panaji, 18th July, 1968.

Food and Civil Supplies Department

Order

FCS/PWD/1346/SYK/68

Shri S. Y. Karangate, a candidate selected by Union Public Service Commission, is appointed temporarily to the post of Assistant Engineer, in P. W. D., with effect from 12-7-68, on initial pay to be fixed as per rules, in the scale of Rs. 350-25-500-30-590-EB-30-800-EB-830-35-900, plus all other admissible allowances.

The appointment is subject to the conditions laid down in the Memorandum No. FCS/PWD/1346/SYK/68 dated 2-7-1968 and rules made from time to time.

By order and in the name of the Administrator of Goa, Daman and Diu.

R. K. Gupta, Deputy Secretary (Planning).

Panaji, 12th July, 1968.

Order

FCS/PWD/1346/VPP/68

Shri V. P. Palondicar, a candidate selected by Union Public Service Commission, is appointed temporarily to the post of Assistant Engineer, in P. W. D., with effect from 12-7-68 on initial pay to be fixed as per rules, in the scale of Rs. 300-25-500-30-590-EB-30-800-EB-830-35-900 plus all other admissible allowances.

The appointment is subject to the conditions laid down in the Memorandum No. FCS/PWD/1346/VPP/68, dated 2-7-1968 and rules made from time to time.

By order and in the name of the Administrator of Goa, Daman and Diu.

R. K. Gupta, Deputy Secretary (Planning).

Panaji, 12th July, 1968.

Order

FCS/PWD/1349/KNG/68

Shri K. N. Goyal, a candidate selected by Union Public Service Commission, is appointed temporarily to the post of Assistant Engineer in the P. W. D., with effect from 12-7-68 on initial pay to be fixed as per rules, in the scale of Rs. 300-25-500-30-590-EB-30-800-EB-830-35-900 plus all other admissible allowances.

The appointment is subject to the conditions laid down in the Memorandum No. FCS/PWD/1349/KNG/68, dated 2-7-1968 and rules made from time to time.

By order and in the name of the Administrator of Goa, Daman and Diu.

R. K. Gupta, Deputy Secretary (Planning).

Panaji, 12th July, 1968.

O Governo determina a constituição duma comissão jurídica composta de três membros, incluindo o seu presidente, e nomeia o Sr. Gopal Apa Kamat, de Panaji, como presidente da mesma comissão. O Secretário de Justiça de Goa, Damão e Diu, será um dos membros da comissão. O terceiro membro será nomeado pelo presidente da comissão jurídica. O termo de exercício da mesma comissão será, inicialmente, de três anos. O presidente da mesma comissão, não terá direito a qualquer vencimento, subsídio ou honorários. Os membros da comissão serão pagos os subsídios ou honorários que venham a ser fixados pelo Governo, periodicamente.

Por ordem e em nome do Administrador de Goa, Damão e Diu.

R. L. Segel, Secretário de Justiça.

Panaji, 18 de Julho de 1968.

Departamento de Alimentação e Abastecimento Cívico

Portaria

FCS/PWD/1346/SYK/68

O Sr. S. Y. Karangate, candidato escolhido pela Comissão de Serviço Público da União, é nomeado, temporariamente, engenheiro assistente dos Serviços das Obras Públicas, a partir de 12 de Julho de 1968, com o vencimento inicial a ser fixado segundo as normas, na escala de Rps. 350-25-500-30-590-EB-30-800-EB-830-35-900, acrescida doutros subsídios admissíveis.

A nomeação está sujeita às condições estabelecidas no memorando n.º FCS/PWD/1346/SYK/68, de 2 de Julho de 1968, e às normas que vierem a ser formuladas periodicamente.

Por ordem e em nome do Administrador de Goa, Damão e Diu.

R. K. Gupta, Secretário adjunto (Planificação).

Panaji, 12 de Julho de 1968.

Portaria

FCS/PWD/1346/VPP/68

O Sr. V. P. Palondicar, candidato escolhido pela Comissão de Serviço Público da União, é nomeado, temporariamente, engenheiro assistente dos Serviços das Obras Públicas, a partir de 12 de Julho de 1968, com o vencimento inicial a ser fixado segundo as normas, na escala de Rps. 300-25-500-30-590-EB-30-800-EB-830-35-900, acrescida doutros subsídios admissíveis.

A nomeação está sujeita às condições estabelecidas no memorando n.º FCS/PWD/1346/VPP/68, de 2 de Julho de 1968, e às normas que vierem a ser formuladas periodicamente.

Por ordem e em nome do Administrador de Goa, Damão e Diu.

R. K. Gupta, Secretário adjunto (Planificação).

Panaji, 12 de Julho de 1968.

Portaria

FCS/PWD/1349/KNG/68

O Sr. K. N. Goyal, candidato escolhido pela Comissão de Serviço Público da União, é nomeado, temporariamente, engenheiro assistente dos Serviços das Obras Públicas, a partir de 12 de Julho de 1968, com o vencimento inicial a ser fixado segundo as normas, na escala de Rps. 300-25-500-30-590-EB-30-800-EB-830-35-900, acrescida doutros subsídios admissíveis.

A nomeação está sujeita às condições estabelecidas no memorando n.º FCS/PWD/1349/KNG/68, de 2 de Julho de 1968, e às normas que vierem a ser formuladas periodicamente.

Por ordem e em nome do Administrador de Goa, Damão e Diu.

R. K. Gupta, Secretário adjunto (Planificação).

Panaji, 12 de Julho de 1968.

Order

FCS/PWD/2628/RGD/68

Shri R. G. Deo, a candidate selected by Union Public Service Commission, is appointed temporarily to the post of Assistant Engineer in the P. W. D., with effect from 12-7-68, on initial pay to be fixed as per rules, in the scale of Rs. 350-25-500-30-590-EB-30-800-EB-830-35-900, plus all other admissible allowances.

The appointment is subject to the conditions laid down in the Memorandum no. FCS/PWD/2628/RGD/68, dated 21-6-68 and rules made from time to time.

By order and in the name of the Administrator of Goa, Daman and Diu.

R. K. Gupta, Deputy Secretary (Planning).

Panaji, 12th July, 1968.

Order

DE/EST/A/66/VIII

The Government Order no. DE/EST/A/66/VIII, dated 15-5-1968 serving one month's notice to Shri R. S. Paramar, Lecturer in Physics in the Government Arts and Science College Daman is hereby cancelled.

By order and in the name of the Administrator of Goa, Daman and Diu.

R. K. Gupta, Deputy Secretary (Planning).

Panaji, 16th July, 1968.

Corrigendum

FCS/PWD/1346/VPP/68

Read: Government Order no. FCS/PWD/1346/VPP/68, dated 12-7-68.

The scale of pay shown in para one of the Government Order, referred to above, should be read as follows:—

«Rs. 350-25-500-30-590-EB-30-800-EB-830-35-900».

By order and in the name of the Administrator of Goa, Daman and Diu.

R. K. Gupta, Deputy Secretary (Planning).

Panaji, 20th July, 1968.

Corrigendum

FCS/PWD/1349/KNG/68

Read: Government Order No. FCS/PWD/1349/KNG/68, dated 12-7-68.

The scale of pay shown in para one of the Government Order, referred to above, should be read as follows:—

«Rs. 350-25-500-30-590-EB-30-800-EB-830-35-900».

By order and in the name of the Administrator of Goa, Daman and Diu.

R. K. Gupta, Deputy Secretary (Planning).

Panaji, 20th July, 1968.

Development Department 'A'

Order

DC-EST-PEOU-3/68

Shri Padmakar Deshapande, a candidate recommended by the Union Public Service Commission is hereby temporarily appointed as a Research Officer in the Plan Evaluation Organisation Unit in the scale of Rs. 350-25-500-30-590-EB-30-830-

Portaria

FCS/PWD/2628/RGD/68

O Sr. R. G. Deo, candidato escolhido pela Comissão de Serviço Público da União, é nomeado, temporariamente, engenheiro assistente dos Serviços das Obras Públicas, a partir de 12 de Julho de 1968, com o vencimento inicial a ser fixado segundo as normas, na escala de Rps. 300-25-500-30-590-EB-30-800-EB-830-35-900, acrescido doutros subsídios admissíveis.

A nomeação está sujeita às condições estabelecidas no memorando n.º FCS/PWD/2628/RGD/68, de 21 de Junho de 1968, e às normas que vierem a ser formuladas periodicamente.

Por ordem e em nome do Administrador de Goa, Damão e Diu.

R. K. Gupta, Secretário adjunto (Planificação).

Panaji, 12 de Julho de 1968.

Portaria

DE/EST/A/66/VIII

O Governo cancela a portaria n.º ES/EST/A/66/VIII, de 15 de Maio de 1968, em que dava um mês de aviso ao Sr. R. S. Paramar, leccionador de Física da Faculdade de Letras e Ciências do Governo, em Damão.

Por ordem e em nome do Administrador de Goa, Damão e Diu.

R. K. Gupta, Secretário adjunto (Planificação).

Panaji, 16 de Julho de 1968.

Corrigenda

FCS/PWD/1346/VPP/68

Ref: Portaria n.º FCS/PWD/1346/VPP/68, de 12 de Julho de 1968.

A escala de vencimento indicada no § 1.º da portaria do Governo acima referida, deve ler-se como segue:—

«Rps. 350-25-500-30-590-EB-30-800-EB-830-35-900».

Por ordem e em nome do Administrador de Goa, Damão e Diu.

R. K. Gupta, Secretário adjunto (Planificação).

Panaji, 20 de Julho de 1968.

Corrigenda

FCS/PWD/1349/KNG/68

Ref: Portaria n.º FCS/PWD/1349/KNG/68, de 12 de Julho de 1968.

A escala de vencimento indicada no § 1.º da portaria do Governo acima referida, deve ler-se como segue:—

«Rps. 350-25-500-30-590-EB-30-800-EB-830-35-900».

Por ordem e em nome do Administrador de Goa, Damão e Diu.

R. K. Gupta, Secretário adjunto (Planificação).

Panaji, 20 de Julho de 1968.

Departamento de Fomento 'A'

Portaria

DC-EST-PEOU-3/68

O Sr. Padmakar Deshapande, candidato recomendado pela Comissão de Serviço Público da União, é nomeado, temporariamente, «Research Officer in the Plan Evaluation Organisation Unit», na escala de Rps. 350-25-500-30-590-EB-30-830-35-900.

-35-900, plus the usual allowances admissible as per Rules from time to time with effect from the date of his taking charge, until further orders.

His appointment is also subject to the conditions stated in the office memorandum, No. DC-EST-PEOU-3-68 dated 21-6-68, and the Rules and Regulation laid down by the Government from time to time.

By order and in the name of the Administrator of Goa, Daman and Diu.

R. K. Gupta, Deputy Secretary (Planning).

Panaji, 16th July, 1968.

Industries and Power Department

Notification

RD/LQN/94/65/1957

Whereas by Government Notification, Industries and Power Department, No. RD/LQN/94/65 dated the 27th March, 1968, published on pages 448 to 452 (both pages inclusive) of Series II No. 52 of the Government Gazette dated the 28th March, 1968, it was notified under section 4 of the Land Acquisition Act, 1894 (hereinafter referred to as the «said Act») that the land specified in the schedule appended to the said Notification (hereinafter referred to as the «said land») was likely to be needed for a public purpose viz. for establishing a fertiliser complex;

And whereas in the opinion of the appropriate Government (hereinafter referred to as the «Government») such part of the said land, as specified in the schedule hereto, is not required for the aforesaid purpose;

Now, therefore, the Government is pleased to declare under sub-section (1) of section 48 of the said Act that it has withdrawn from acquisition such part of the said land as specified in the schedule hereto, for the aforesaid public purpose and that the aforesaid Government Notification, Industries and Power Department No. RD/LQN/94/65 dated 28th March 1968, shall be deemed to be cancelled so far as it relates to such part of the said land as specified in the schedule hereto.

A plan of the said land, as specified in the schedule hereto, shall be available for inspection in the office of the Collector of Goa, Panaji, for a period of thirty days from the date of this Notification.

SCHEDULE — QUADRO

Taluka	Village	Description of the land			Approximate area
		Plot No.	Survey No.	Name of the person believed to be interested	
Concelho	Aldeia	Descrição do terreno			Área aproximada em m²
		Terreno n.º	N.º de cadastro	Nome do interessado	
1	2	3	4	5	6
Ponda	Marcaim	1	571/part	Narahari Rama Kamat of Marcaim.	10681.00
		2	585/part	Vishnu Anant Kamat of Marcaim.	3156.00
		3	586/part	Pundalik Vyankatesh Kamat Malvadkar of Marcaim.	12680.00
		4	581, 582	Mangesh Shenvi Bharne and Santu Achyut Bharne of Panaji.	89640.00
			583 and		
			587/part		
		5	584/part	— do —	11680.00
		110	580	Shripad Rama Kamat, Atmaram Pandurang Kamat, Govind Somba Kamat, Anjani Kamat wife of Sadashiv Pandurang Nalk Kamat of Bandora and others in Dongrim, Mandur.	13181.00
		120	579	Pundalik Janardan Kamat Dhakankar of Mapusa.	5467.00
		121	581	Shrinivas Raya Kamat Ghanekar of Panaji.	23288.00
		187	584	Shri Navdurga Devalaya and its branches, Marcaim.	35880.00
		Total			301153.00

By order and in the name of the Lieutenant Governor of Goa, Daman and Diu.

B. Ram, Secretary, Industries and Labour Department.

Panaji, 22nd July, 1968.

acrescida dos subsídios admissíveis segundo as normas, periodicamente, a partir da data em que tomar posse e até ordens ulteriores.

A sua nomeação está sujeita às condições previstas no memorando n.º DC-EST-PEOU-3-68, de 21 de Junho de 1968, e às normas e regulamentos que vierem a ser formulados pelo Governo, periodicamente.

Por ordem e em nome do Administrador de Goa, Damão e Dio.

R. K. Gupta, Secretário adjunto (Planificação).

Panagi, 16 de Julho de 1968.

Departamento de Indústrias e Energia

Despacho

RD/LQN/94/65/1957

Atendendo a que por despacho do Governo, do Departamento de Indústrias e Energia, n.º RD/LQN/94/65, de 27 de Março de 1968, publicado à pgs. 448 a 452 (inclusivo ambas as páginas) do *Boletim Oficial* n.º 52, 2.ª série, de 28 de Março de 1968, fora tornado público, ao abrigo do artigo 4.º do «Land Acquisition Act, 1894» (referido daqui em diante como «citado Act») que o terreno especificado no quadro anexo ao mesmo despacho (referido daqui em diante como «aludido terreno») era necessário para os fins da planta de fertilizantes;

Tendo em consideração que no parecer do Governo interessado (referido daqui em diante como «Governo») a parte do terreno indicada no quadro a este anexo, não é necessário para os fins acima referidos;

O Governo declara, ao abrigo da alínea (1) do artigo 48.º do citado Act, que desiste da aquisição da parte do aludido terreno indicada no quadro a este anexo, para os fins acima referidos, e que o despacho do Governo n.º RD/LQN/94/65, de 28 de Março de 1968, do Departamento de Indústrias e Trabalho, fica sem efeito no que respeita à parte do aludido terreno mencionada no quadro a este anexo.

O plano do mesmo terreno, descrito no quadro a este anexo, poderá ser consultado na Repartição do Collector de Goa, Panaji, por período de 30 dias, contado da data deste despacho.

Por ordem e em nome do Governador-tenente de Goa, Damão e Dio.

B. Ram, Secretário do Departamento de Indústrias e Trabalho.

Panagi, 22 de Julho de 1968.

Labour and Information Department

Order

LC/27/WB-1(8)/68

The Resolution No. WB-15(24)/67 dated 20th June, 1968 of the Government of India, Ministry of Labour and Rehabilitation (Department of Labour & Employment), New Delhi, is hereby republished for the information of all concerned.

By order and in the name of the Administrator of Goa, Daman and Diu.

B. Ram, Secretary, Industries and Labour Department.
Panaji, 12th July, 1968.

GOVERNMENT OF INDIA

MINISTRY OF LABOUR AND REHABILITATION

(Deptt. of Labour & Employment)

New Delhi the 20th June 1968

Resolution

WB-15(24)/67:—The Central Wage Board for Electricity Undertakings set up by the Government of India by their Resolution No. WB-15(1)/64 dated the 28th May 1966, has considered the question of interim relief and made unanimous recommendations on the subject which are appended.

2. After careful consideration, the Government of India have decided to accept the recommendations of the Wage Board subject to the following:—

- (i) The interim relief shall be payable with effect from 1st July, 1967, instead of 1st January, 1967, mentioned in para 10(4) of the Wage Board's recommendations;
- (ii) The recommendations shall not apply to electricity undertakings run as Government Departments and work service conditions of the employees are regulated by Department orders applicable to Government servants in general;
- (iii) Where any relief has been given by way of increase in dearness allowance and/or emoluments after the constitution of the Wage Board, whether with or without retrospective effect, such relief could be allowed for adjustment against the interim relief recommended by the Wage Board; and
- (iv) The adjustments mentioned in sub-para (iii) above will not apply to increases in wages/pay due to grant of annual increments, promotions and transfers from one place to another.

3. The concerned employers are hereby requested to implement expeditiously the Wage Board's recommendations as accepted by Government.

P. M. NAYAK

Addl. Secretary to the Govt. of India.

APPENDIX

The Central Wage Board for Electricity Undertakings was constituted on 28th May, 1966 vide Resolution No. WB-15(1)/64, dated the 28th May, 1966 consisting of:—

Chairman:

Shri P. P. R. Sawhny.

Independent Members:

Shri Jagannath Rao Chandriki.

Prof. M. B. Desai.

Members Representing Employers:

Shri R. P. Aiyer.

Shri S. N. Ray.

Shri U. Chandu Nair.

Members Representing Workers:

Shri J. C. Dixit.

Shri D. P. Pathak.

Shri Vimal Mehrotra.

Member Secretary:

Shri Teja Singh Sahni*

* Vide Resolution of even number dated the 7th September, 1966.

2. Subsequently, S/Shri S. Dutt Mazumdar, Chairman, West Bengal State Electricity Board and G. Sambasiviah, Chairman, Mysore State Electricity Board were appointed as Members of the Wage Board in place of S/Shri S. N. Ray and U. Chandu Nair respectively vide Ministry of Labour, Employment and Rehabilitation Resolution No. WB-15(3)/65 dated the 3rd July, 1967 and No. WB-15(3)/65, dated the 4th September, 1967. Shri Sambasiviah could not, however, participate in the discussions held in connection with the finalisation of recommendations regarding interim relief, as the Notification appointing him as the Member of the Board had been received only on 5th September, 1967 and it was not possible for him to attend the meeting held for this purpose as intimated by him on telephone in view of the short notice and also for the reason that he had previous important engagements.

3. Shri J. R. Chandriki did not attend any meeting after the 18th March, 1967.

4. The terms of reference of the Board were:—

(a) to determine the categories of employees (manual, clerical, supervisory etc.) who should be brought within the scope of the proposed wage fixation;

(b) to work out a wage structure based on the principles of fair wages as set forth in the Report of the Committee on Fair Wages; and

(c) to evolve a gratuity scheme for industry.

Explanation: In evolving a wage structure, the Board should, in addition to the considerations relating to fair wages, also take into account:

- (i) the public utility character of electricity undertakings;
- (ii) the need of the industry in a developing economy;
- (iii) the requirements of social justice;
- (iv) the need for adjusting wage differentials in such a manner as to provide incentive to workers for advancing their skill; and
- (v) the desirability of extending the system of payment by results.

Explanation: In applying the system of payments by results, the Board shall keep in view the need for fixing a minimum (fall-back wage) and also to safeguard against over-work and undue speed.

5. The Ministry of Labour, Employment and Rehabilitation vide its letter No. WB-15(16)/66 dated the 18th July, 1966, informed the Board that though the question of interim relief had not been specifically mentioned in the terms of reference of the Wage Board, demands in this regard, if any, could be considered by the Board on merits.

6. The deliberations of the Wage Board in considering the proposals for interim relief have been based on numerous representations received from employers' and employees' organisations.

7. The workers' unions/associations were requested to send their claims, if any, and justification therefor for the grant of interim relief. On receipt of those claims, the same were forwarded to the employers' organisations for comments. The parties were also requested to intimate if they wished to be personally heard on the subject and as many as 94 parties were given public hearings in Delhi, Bombay, Bangalore, Calcutta, Jaipur and Trivandrum.

8. The parties who appeared before the Board not only made oral statements but also produced a large number of documents in support of their view points.

9. The subject of interim relief is a very complicated one involving consideration of complex factors, particularly those relating to diversity of wages in the industry and regional differences. It was for all these reasons that the Board adopted the procedure of public hearings so as to facilitate the interested parties to explain their view points on different aspects of the problems.

10. In considering the problem of interim relief, the Board had perforce to take note of changes in wage structures in many units of the industry consequent to collective bargaining—in some cases involving strikes injurious to the economy—since its constitution. The public utility character of the industry has throughout exerted its weight in the deliberations of the Board. The Board has accordingly unanimously recommended the grant of interim relief based on the following formulae:—

- (1) (a) that the employees both in the public and private sector undertakings in receipt of total emoluments upto

Rs. 110/- p. m. should be given Rs. 20/- p. m. as interim relief subject to a maximum of Rs. 123-50;

(b) that employees in receipt of total emoluments between Rs. 111/- and Rs. 150/- p. m. should be given Rs. 12-50 p. m. as interim relief and subject to a minimum of Rs. 124/- and maximum of Rs. 158-50;

(c) that employees in receipt of total emoluments between Rs. 151/- and Rs. 200/- p. m. should be given Rs. 7-50 p. m. as interim relief subject to a minimum of Rs. 159/- and maximum of Rs. 206/-; and

(d) that employees in receipt of total emoluments between Rs. 201/- and Rs. 299/- p. m. should be given Rs. 5/- p. m. as interim relief subject to a minimum of Rs. 207/-.

(2) It was also agreed that in view of the Press Note issued on the basis of the resolution of the Board dated the 13th January, 1967, such interim relief (in one or more instalments) which the employees may have been given with effect from 28th May, 1966 or any date subsequent to 28th May, 1966 but earlier than 1st September, 1967 would be adjusted in the total emoluments as recommended by the Board.

*(3) The staff engaged on muster-roll, on work-charged basis and on daily rates of pay should be granted interim relief to the extent of 20% over and above the wages drawn by them on 28th May, 1966 — the date on which the Central Wage Board for Electricity Undertakings was constituted but that this would be subject to the adjustment of relief, if any, that may have been granted to them with effect from 28th May, 1966 or any date subsequent to 28th May, 1966, but earlier than 1st September, 1967, and further that such interim relief does not exceed Rs. 20/- for 26 working days in a month. It was further decided that if any of the afore-said categories be in receipt of more emoluments than the amount that they may be entitled to receive as a result of the recommendations of the Board, they would continue to receive the amount that they were already getting and that this would be applicable to all such employees of the afore-said categories who may have been employed even after 28th May, 1966 by the Electricity Undertakings.

(4) That the interim relief be given on the scales set forth above retrospectively from 1st January, 1967 on the basis of the emoluments drawn on that date but subject to adjustment stipulated in (2) above.

(5) That all such employees who are in receipt of total emoluments between Rs. 300/- and Rs. 449/- per month and have reached the maximum of their basic wage scale should be allowed one increment after they have been on the maximum for at least one year after earning their last increment and that this relief would be subject to adjustment at the time of final recommendation to be made in respect of the wage structure.

(6) That if any employee was in receipt of higher relief having been given by the employers than what is being recommended by the Board, he would not be entitled to the interim relief recommended by the Board. But this recommendation about the interim would not adversely affect such higher quantum of relief which would remain undisturbed.

(7) That the establishments/undertakings whose D.A. is linked to the cost of living index and where neutralisation to the extent of 90% or more of the cost of living is ensured by such a linking, the employees of such undertakings would not be entitled to the grant of any interim relief.

A list of such employers will be communicated to the Government by the Wage Board later on after securing the required information about them.

(8) That in respect of distributing licensees with total installed station capacities of 500 KVA or below and diesel generating stations with capacities of 1500 KW or below, the recommendations about interim relief may be applied to them subject to ascertainment of their viability by the statutory State audit.

(9) That where under the provisions of any settlement, award or agreement between the employers and the employees in the electricity undertakings, a workman is entitled to a relief which is more favourable to him than the interim relief recommended by the Board, the workman shall continue to be entitled to the more favourable relief in this respect.

(10) That it is the Board's recommendation that the State Government should be good enough not to raise any objection to the licensees making rate adjustments consequent to the liabilities caused by the implementation of the interim relief.

(11) That the recommendations in this behalf should be treated as a separate item till the final recommendations are made by the Board.

(12) That while calculating the total emoluments as indicated above the wages would be taken to mean as defined in the Industrial Disputes Act, 1947 under Section 2(rr) which is reproduced below and fringe benefits which are capable of being expressed in terms of money would be counted in arriving at the total emoluments for the purpose of the slabs as recommended above by the Board:—

«wages» means all remuneration capable of being expressed in terms of money, which would, if the terms of employment expressed or implied, were fulfilled, be payable to a workman in respect of his employment or of work done in such employment, and include —

- (i) such allowance (including dearness allowance) as the workman is for the time being entitled to;
- (ii) the value of any house, accommodation, or of supply of light, water, medical attendance or other amenity or any service or of any concessional supply of food grains or other articles;
- (iii) any travelling concession;

but does not include —

- (a) any bonus;
- (b) any contribution paid or payable by the employer to any pension fund or provident fund or for the benefit of the workman under any law for the time being in force;
- (c) any gratuity payable on the termination of his service.

(13) That as per the decision taken by the Board at its meeting held on 5th August, 1967, the employees who were in employment when the Wage Board was constituted and had since attained the age of superannuation and those who may attain the age of superannuation before the final recommendations of the Wage Board were to be made, should be extended the benefit of any gratuity scheme that may be evolved by the Board when making its final recommendations.

(14) That the interim relief that is being recommended should not count for bonus and provident fund for the present but should be taken into consideration while computing wages for leave with pay, paid holidays and overtime and that the provident fund on this amount should be payable as and when this interim relief were to be adjusted on the basis of final recommendations.

(15) Because of the diversity in the wage structure prevailing in the industry, the recommendations of the Board have necessarily tended to be ad-hoc in character. The voluminous data the Board could gather for the purpose would need considerable time for evaluation and, in the meantime, the Board has tried to proceed to base the quantum of relief on the total emoluments consisting of basic wage, D.A. and fringe benefits to produce a simple formula for early relief. The Board is keenly aware of the workers' expectations, especially in view of the award of the D.A. Commission for the Central Government employees. At the same time, the problems of the industry and the financial implications of the relief on it had to be borne in mind.

Sd/-	Sd/-
J. C. DIXIT	P. P. R. SAWHNY
Member (Representing Workers)	Chairman
Sd/-	Sd/-
D. P. PATHAK	M. B. DESAI
Member (Representing Workers)	Independent Member
Sd/-	Sd/-
VIMAL MEHROTRA	R. P. AIYER
Member (Representing Workers)	Member (Representing Employers)
Sd/-	Sd/-
TEJA SINGH SAHNI	S. DUTT MAZUMDAR
Member Secretary	Member (Representing Employers)

* Inserted in view of the decisions taken by the Wage Board at its meetings held on 11th January, 1968 and 3rd February, 1968.

Order

LC/1-(279)/66

The following Award given by the Industrial Tribunal on an industrial dispute between Hotel Mandovi, Panaji and the workmen employed under them, is hereby published as required vide provisions of Section 17 of the Industrial Disputes Act, 1947 (xiv of 1947):—

By order and in the name of the Administrator of Goa, Daman and Diu.

B. Ram, Secretary, Labour and Information Department.

Panaji, 16th July, 1968.

Before Shri K. R. Powar, Industrial Tribunal, Goa, Daman & Diu

Reference (IT-GDD) No. 5 of 1967

ADJUDICATION

Between

Hotel Mandovi, Panaji

And

The workmen employed under it.

Appearances:— Shri Y. P. Kamat, Manager, for the employer.

Shri S. Ranganiathan, of Goa National Workers Union, for the workmen.

AWARD

A reference under sub-section (5) of section 12 of the Industrial Disputes Act, 1947.

2. The industrial dispute is over the quantum of bonus payable for the years 1964-65 and 1965-66. The financial year of the employer concern corresponds the calendar year commencing from the 1st of January and ending on 31st of Decemehr. The industrial dispute is therefore deemed to be relating to the bonus for the years 1964 and 1965. The dispute is governed by the provisions of the Payment of Bonus Act, 1965.

3. The employers has filed its balance-sheets and profit and loss account statements for the relevant two years. They are duly audited and certified by Chartered Accountants. The information and the particulars mentioned therein are presumed to be correct in view of section 25 of the Payment of Bonus Act.

4. As shown in the profit and loss account statements, the net profits for the two years are respectively Rs. 1,21,447.83 and Rs. 4,797.87.

5. An item to be added back in the first instance is depreciation. For the two years the amounts are Rs. 93,527.33 and Rs. 1,08,862.68 respectively. The amounts debited towards

1964

Rs. 1,21,447-83

Net profit

Add Back:

93,527-33

Depreciation

4,436-89

Donations & Charities

1,826-47

Difference in Books of Accounts

5,300-00

Bonus

1,05,090-69

Rs. 2,26,538-52

Gross Profits.

Deduct:

93,527-33

Depreciation

58,248-66

Direct Taxes

50,713-72

Return on capital

33,252-75

Remuneration to partners

2,35,742-46

Rs. —9,203-94

Deficit

donations and charities and difference in books are to be added back and that position is expressly conceded on behalf of the employer. The amounts of donations and charities for the two years are respectively Rs. 4,436.89 and Rs. 4,570.49. The items of difference in books of accounts are respectively Rs. 1,826.47 and Rs. 2,70.08. The amount of bonus for the year 1963 paid and debited in the year 1964, as also the amount of bonus for the year 1964 paid and debited in the year 1965 are to be added back. The amounts are respectively Rs. 5,300.00 and Rs. 6,592.50.

6 It was the contention of the workmen that the amounts of the employer's contribution to the provident fund and the sales tax, though debited and deducted in the profit and loss account statements are actually not paid by the employer and that therefore the said amounts should also be added back. The employer has filed his affidavit and sworn that the amounts have been actually paid by the employer. In view of the affidavit the contention is not pressed on behalf of the workmen.

7. The gross profits for the purposes of bonus for the two years are respectively Rs. 2,26,538.52 and Rs. 1,17,093.62.

8. For the deduction towards depreciation the employer has claimed the very amounts which are added back above. In support of the claim, the employer has produced the certificate from the Chartered Accountants who have audited and certified the balance-sheets for the years. In view of the certificates, the amounts as claimed are conceded on behalf of the workmen.

9. As shown in the bonus calculations for the year 1964 filed by the employer the amounts to be deducted towards direct taxes are: Firm's tax Rs. 9,750.66, annuity deposits Rs. 12,020 and income tax Rs. 36,478. The total of the direct taxes comes to Rs. 58,248.66. For the subsequent year, 1965, the bonus calculations filed by the employer mentions only one figure viz. Firm's tax Rs. 9,750.66. None of these items or the amounts thereof are disputed on behalf of the workmen I allow the same.

10. The employers are allowed a return at the rate of 8.5% on the amount of capital invested by them. For the year 1964 the amount invested as capital as show in the balance-sheet is more than Rs. 22,00,000. But it is explained on behalf of the employers that the amount expended over the construction of the building during the course of the year has been excluded. As per the calculations filed by the employers the capital invested is Rs. 5,96,632. I accept the amount as correct. The return thereon comes to Rs. 50,713.72. The whole amount as capital noted above is treated as such for the year 1965 and rightly. The amount is Rs. 21,49,731.20. The return thereon comes to Rs. 1,82,727.15.

11. The employer is a partnership and the partners are to be allowed a remuneration equivalent to 25% of the gross profits derived after deducting depreciation. The gross profits for the two years after deducting depreciation are respectively Rs. 1,33,011 and Rs. 16,231. The remuneration comes to respectively Rs. 33,252.75 and Rs. 4,057.75.

12. The bonus calculations for the two years as follows:—

1965

Rs. 4,797-87

1,00,862-68

4,570-49

270-08

6,592-50

1,12,295-75

Rs. 1,17,093-62

1,00,862-68

9,750-66

1,82,727-15

4,057-75

2,97,398.24

Rs. —1,80,304-62

Thus, it is seen that there is no available surplus for both the years; there is a deficit. The amounts of deficit for the two years are respectively Rs. 9,203.94 and Rs. 1,80,304.62.

13. The workmen are therefore entitled to be paid only the minimum bonus under the Act.

14. The employer has separately filed the particulars relating to the total wages. The total wages of the workmen for the two years are respectively Rs. 88,166.86 and Rs. 1,03,486.54. The minimum bonus at the rate of 4% for the two years comes to Rs. 3,526 and Rs. 4,139 respectively.

15. The amounts already paid to the workmen as bonus for the two years are respectively Rs. 5,300 and Rs. 6,592. The workmen are already paid as bonus amounts exceeding those due under the provisions of the Act.

16. It is not seen that there was any delay for the payment of bonus. The workmen are not entitled to any relief in that connection.

17. In the result I make an award:—

For the years 1964 and 1965 the amounts already paid to the workmen as bonus exceeded the amounts payable under the provisions of the Payment of Bonus Act, 1965.

The reference is disposed of.

Sd/-

K. R. POWAR

Industrial Tribunal

Bombay, 31st May, 1968.

Order

LC/1-(35)/65

The following Award given by the Industrial Tribunal on an industrial dispute between the Management of 'Gomantwani', Margao, Goa and the workmen employed under them, is hereby published as required vide provisions of Section 17 of the Industrial Disputes Act, 1947 (xiv of 1947).

By order and in the name of the Administrator of Goa, Daman and Diu.

B. Ram, Secretary, Labour and Information Department.

Panaji, 17th July, 1968.

Before Shri K. R. Powar, Industrial Tribunal, Goa, Daman & Diu

Reference (IT-GDD) No. 4 of 1965

ADJUDICATION

Between

The Management of 'Gomantwani', Margao, Goa,

And

The workmen employed under them.

AWARD

A reference under sub-section (5) of section 12 of the Industrial Disputes Act, 1947.

2. The industrial dispute is over the workmen's following demands:

«All the workmen in the company should be paid Interim Relief at the following rates:—

- i) Rs. 25/- for those workmen whose salaries are upto Rs. 100/- per month.
- ii) Rs. 40/- for workmen whose salaries are between Rs. 101/- to Rs. 200/- per month, and
- iii) Rs. 45/- for workmen whose salaries are above Rs. 200/- per month.

3. A statement of claim, in support of the demands, was submitted by the Goa Press Employees' Union representing the workmen. The employer filed its written statement opposing the demands.

4. The material contention of the employer was that since the starting of this concern in 1964 it was running in loss, it had no financial capacity to bear any additional burden,

that if the demands of the workmen were granted it would result in an increase in the burden to the extent of Rs. 1065/- per month and in such an eventuality the employers would be constrained to close the concern.

5. At the stage of the hearing, adjournment was obtained on the ground that the parties were negotiating for a settlement. For some time no settlement being received letters were issued by the Tribunal to the parties inquiring as to what was the result of the negotiations and whether the case be fixed for hearing. No reply being received from either party, reminders were issued and sent by registered post acknowledgement due. The letter addressed to the employer was returned un-delivered with the postal endorsement. «Closed: Return to the sender». The said information was conveyed to the General Secretary, Goa Press Employees' Union, representing the workmen and he was directed to furnish the new address of the employer concerned or to take steps to bring on record of these proceedings the successors in interest of the employer concern. The letter was sent by registered post acknowledgement due and it was seen that the letter was duly delivered. There was no compliance on the part of the said union. A reminder dated 4th January 1967 was issued to the union and it was sent by registered post. The reply sent by the union was received in the office of the Tribunal on 11th January 1967. It was reported that the printing press of the employer concern was closed with effect from 29th June 1966. It was further stated that the address of the employer concern for future correspondence was,

«Shri Sybraya Kashinath Naik,
Managing Director,
Daily Gomantwani,
Gomantwani Prakashan Private Ltd.
Margao — Goa».

6. A notice was issued to the employer and it was sent by registered post to the address mentioned above. It was returned unserved with the postal endorsement, «Closed: Return to sender».

7. The case was fixed for hearing at Panaji on 18th December 1967. Notices of hearing were issued to the parties. The notice addressed to the employer was sent to the Commissioner of Labour, Government of Goa, Daman and Diu, Panaji with a request to effect services of the notices on the employer. The notice was returned by the Commissioner of Labour with a report that the notice could not be served.

8. On the date of the hearing, there was no appearance for the employer. Shri Narendra Shetye, General Secretary, Goa Press Employees' Union, appeared for the workmen. The situation arising from the difficulty in effecting service on the employer was brought to his notice and he was directed to take steps in that connection. There was filed a statement stating that the employer printing press was closed down with effect from 29th June 1966 and that there were in all 15 shareholders in the employer concern. He submitted the names and addresses of six of the share-holders and requested for the issue of the notice to them. The mention of the share-holders indicated that the employer concern was a company. He was therefore directed to furnish the name and address of the Managing Director of the employer company. There was no compliance on the part of the union, representing the workmen. By the letter dated 17th February 1968, Shri Narendra Shetye, General Secretary of the union was reminded of the direction issued to him on 18th December 1967 and he was required to furnish the name and address of the Managing Director by 24th February -1968. He was warned that in case of default on his part, the reference would be disposed of. No reply or other communication was received from him till 24th February 1968. The reference was liable to be disposed of for want of prosecution.

9. Pending the making of the award a communication is received from Shri Shetye, General Secretary of the Union. Therein he has furnished the name and address of the employer as follows:

«Shri Subraya Kashinath Naik,
Managing Director,
Daily Gomantwani,
Gomantwani Prakashan Private Ltd.,
Margao, Goa».

It is material to note that the address furnished now is the same as that that was furnished on an earlier occasion and

the notice issued to the said address was returned unserved; nor could the service of the notice be effected through the Commissioner of Labour. In effect, the union, representing the workmen has not complied with the direction issued by the Tribunal and it has not furnished the correct and proper address of the employer-concern. In substance, the reference is not prosecuted by or on behalf of the workmen.

10. The reference is not prosecuted by or on behalf of the workmen. The reference is accordingly disposed of.

Sd/-

K. R. POWAR
Industrial Tribunal

Bombay, 30th May, 1968.

Public Health Department

Order

A-11/67-DHS/8943

Dr. Jose Bento do R. S. Egipsy who was appointed to the post of Surgeon Specialist in the T. B. Sanatorium Margao on an adhoc basis, is hereby appointed to the same post in the scale of Rs. 700-40-1100-50/2-1250 on a regular basis with effect from 18th May 1962.

This has the approval of the Union Public Service Commission.

By order and in the name of the Administrator of Goa, Daman and Diu.

S. R. Shinde, Under Secretary (Health).

Panaji, 15th July, 1968.

Departamento de Saúde Pública

Portaria

A-11/67-DHS/8943

O Dr. José Bento do R. S. Egipsy, que havia sido nomeado, provisoriamente, cirurgião especialista do Sanatório de Margão, é nomeado para o mesmo lugar definitivamente, a partir de 18 de Maio de 1962, com a escala de vencimento de Rps. 700-40-1100-50/2-1250.

A presente portaria é expedida com a aprovação da Comissão de Serviço Público da União.

Por ordem e em nome do Administrador de Goa, Damão e Diu.

S. R. Shinde, Subsecretário (Saúde).

Panagi, 15 de Julho de 1968.